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| APPLICATION NO.                                      | FILING DATE                          | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|--------------------------------------|----------------------|---------------------|------------------|
| 10/537,323   | 08/20/2005                           | Daniel Lecomte       | LMC-05-1145         | 3224             |
|  | 7590 09/07/201<br>DLA PIPER LLP (US) | EXAMINER             |                     |                  |
| ONE LIBERTY  | Y PLACE                              | SCHEIBEL, ROBERT C   |                     |                  |
| 1650 MARKET ST, SUITE 4900<br>PHILADELPHIA, PA 19103 |                                      |                      | ART UNIT            | PAPER NUMBER     |
|  |                                      |                      | 2467                |                  |
|  |                                      |                      |                     |                  |
|  |                                      |                      | NOTIFICATION DATE   | DELIVERY MODE    |
|  |                                      |                      | 09/07/2010          | ELECTRONIC       |

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto.phil@dlapiper.com

|   | Application No.   | Applicant(s)   |
|---|---|--|
| Examiner-Initiated Interview Summary  | 10/537,323  | LECOMTE ET AL.   |
| Examiner instated interview duminary  | Examiner  | Art Unit   |
|   | ROBERT C. SCHEIBEL  | 2467   |
| All Participants:   | Status of Application: <u>Per</u>                                 | nding  |
| (1) <u>ROBERT C. SCHEIBEL</u> .   | (3)   |  |
| (2) <u>Erin Pacella (Reg. No. 56,239)</u> .   | (4)   |  |
| Date of Interview: 24 August 2010   | Time: <u>11:00</u>  |  |
| Type of Interview:  ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant  ☐ Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description:  | nt's representative)  |  |
| Part I.   |   |  |
| Rejection(s) discussed:   |   |  |
| Claims discussed: 20-38   |   |  |
| Prior art documents discussed: U.S. 2003/0222994 to Dawson  |   |  |
| Part II.  SUBSTANCE OF INTERVIEW DESCRIBING THE GENER See Continuation Sheet  | RAL NATURE OF WHAT WAS  | DISCUSSED:   |
| Part III.   |   |  |
| <ul> <li>It is not necessary for applicant to provide a separate redirectly resulted in the allowance of the application. The of the interview in the Notice of Allowability.</li> <li>It is not necessary for applicant to provide a separate redid not result in resolution of all issues. A brief summary</li> </ul> | e examiner will provide a writte<br>ecord of the substance of the | en summary of the substance interview, since the interview |
|   |   |  |
| /ROBERT C. SCHEIBEL/<br>Examiner, Art Unit 2467 (A  | pplicant/Applicant's Representati                                 | ive Signature – if appropriate)                            |

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner acknowledged that the foreign priority date of the application is before the effective U.S. filing date of the primary reference used in the last office action (U.S. 7,382,969 to Dawson). However, Examiner noted that U.S. 2003/0222994 to Dawson is very similar to the '969 patent. Examiner indicated that a similar rejection would likely be made with the '994 publication and offered either claim 29 or 35 (if re-written in independent form) as allowable subject matter.

Ms. Pacella will contact the client and respond by 8/31/2010.